

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDY VONGDALA,

Defendant.

Case No. CR24-107RSL

ORDER GRANTING
SECOND UNOPPOSED
MOTION TO CONTINUE
TRIAL AND EXTEND
PRETRIAL MOTIONS
DEADLINE

This matter comes before the Court on Defendant's second "Unopposed Motion to Continue Trial and Extend Pretrial Motions Deadline" (Dkt. # 20). Having considered the facts set forth in the motion, and defendant's knowing and voluntary waiver (Dkt. # 21), the Court finds as follows:

1. The Court adopts the facts set forth in the unopposed motion: in particular, counsel needs additional time to review discovery with her client, investigate the allegations, and advise Mr. Vongdala as to the best course of action. The Court accordingly finds that a failure to grant a continuance would deny counsel, and any potential future counsel, the reasonable time

1 necessary for effective preparation, taking into account the exercise of due diligence, within the
2 meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

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4 2. The Court finds that a failure to grant a continuance would likely result in a
5 miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

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7 3. The Court finds that the additional time requested between the current trial date of
8 December 2, 2024, and the proposed trial date of March 24, 2025 is a reasonable period of
9 delay. The Court finds that this additional time is necessary to provide defense counsel
10 reasonable time to prepare for trial, as defendant has requested more time to prepare for trial, to
11 continue to investigate the matter, to gather evidence material to the defense, and to consider
12 possible defenses. The additional time requested between the current trial date and the new trial
13 date is necessary to provide counsel for the defendant the reasonable time necessary to prepare
14 for trial, considering all of the facts set forth above.

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17 4. The Court further finds that this continuance would serve the ends of justice, and
18 that these factors outweigh the best interests of the public and defendant in a speedier trial,
19 within the meaning of 18 U.S.C. § 3161(h)(7)(A).


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21 5. Defendant has signed a waiver indicating that he has been advised of his right to a
22 speedy trial and that, after consulting with counsel, he has knowingly and voluntarily waived
23 that right and consented to the continuation of his trial to a date up to and including March 31,
24 2025, Dkt. # 21, which will permit his trial to start on March 24, 2025.

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26 IT IS HEREBY ORDERED that the trial date shall be continued from December 2,
27 2024 to March 24, 2025, and pretrial motions are to be filed no later than January 3, 2025;

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ORDER GRANTING UNOPPOSED
MOTION TO CONTINUE TRIAL - 2

1 IT IS FURTHER ORDERED that the period of time from the current trial date of
2 December 2, 2024, up to and including the new trial date, shall be excludable time pursuant to
3 the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing
4 and granting of this motion is excluded for speedy trial purposes pursuant to 18 U.S.C.
5 §§ 3161(h)(1)(D), (h)(7)(A), and (h)(7)(B).
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8 DATED this 18th day of October, 2024.
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12 Robert S. Lasnik
13 United States District Judge
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